UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

FEDERAL INSURANCE CO. a/s/o ELCO LIMITED,:

INC.,

Plaintiff,

Case No. 21-cv-5539 (JSR)

- against -

NOTICE OF MOTION TO

SF EXPRESS CORPORATION, TOTAL QUALITY:

LOGISTICS LLC and MUKOMA FAMILY LLC,

DISMISS

Defendants.

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PLEASE TAKE NOTICE, that upon the annexed Affidavit of Marc Bostwick, dated August 31, 2021, and exhibits thereto; the Memorandum of Law in Support of Defendant Total Quality Logistics, LLC's Motion to Dismiss For Failure to State a Claim; upon all of the prior pleadings and proceedings herein; and pursuant to the Court's August 18, 2021 Order, the undersigned will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York on the 29th day of September, 2021, at 3:00 p.m. for an Order dismissing all claims against Defendant Total Quality Logistics, LLC ("TQL") pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim.

Pursuant to the Court's August 18, 2021 Order, TQL will file its motion by September 1, 2021, opposition is due by September 15, 2021, replies are due by September 22, 2021, and telephonic oral argument will be held on September 29, 2021 at 3:00 p.m.

Dated: New York, New York

September 1, 2021

PARKER POHL LLP

By: M. Todd Parker

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Attorneys for Defendant Total Quality Logistics

TO: All Counsel of Record via ECF

> Defendant Mukoma Family LLC via FedEx at: Mukoma Family LLC 3319 Grand Ave. Louisville, KY 40211